

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
August 10, 2006

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control ("EQC").

- II. **SUBJECT:** Administrative and Consent Orders issued during the period May 1 – June 30, 2006.

- III. **FACTS:** For the period May 1, 2006 through June 30, 2006 EQC issued fifty-nine (59) Consent Orders with total assessed civil penalties in the amount of \$1,121,909.00. One (1) Administrative Order was entered into during the reporting period with total assessed civil penalties in the amount of \$6,772.00.

Unless otherwise specified, "Previous Orders" as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

Bureau	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land & Waste Management				
Hazardous Waste	0	\$ 0	0	\$ 0
Solid Waste	0	0	0	0
UST Program	1	6,772.00	5	3,200.00
SUBTOTAL	1	6,772.00	5	\$ 3,200.00
Water*				
Drinking Water	0	\$ 0	16	\$ 25,760.00
Water Pollution	0	\$ 0	22	959,949.00
SUBTOTAL	0	\$ 0	38	\$ 985,709.00
Air Quality				
SUBTOTAL	0	\$ 0	16	\$ 133,000.00
TOTAL	1	\$ 6,772.00	59	\$ 1,121,909.00

***During the reporting period, Water Pollution Enforcement and Drinking Water Enforcement issued two (2) Joint Consent Orders. Also, Water Pollution Enforcement and Solid Waste Enforcement issued one (1) Joint Consent Order. Water Pollution Enforcement was credited with the Joint Orders.**

ANALYSIS: During the reporting period, Underground Storage Tank Enforcement issued an Administrative Order against Respondent, Sahil of Columbia, LLC, for violations of the Underground Storage Tank Control Regulations. Some of the violations include: failure to provide adequate release detection; failure to demonstrate financial responsibility; and failure

to supply records to the Department. The violations have been corrected. A civil penalty in the amount of six thousand seven hundred seventy-two dollars (\$6,772.00) was assessed.

Nine of the sixteen Consent Orders reported by Drinking Water Enforcement involve violations of the Public Swimming Pool Regulations for failure to properly operate and maintain the public swimming pools. Corrective actions in the Consent Orders require Respondents to operate and maintain the public swimming pools in accordance with applicable State laws and regulations. The total assessed civil penalty of the five Consent Orders involving public swimming pool violations is sixteen thousand seven hundred twenty dollars (\$16,720.00).

Water Pollution Enforcement entered into a Consent Order with Richland County (Respondent). The Respondent is responsible for the proper operation and maintenance of its Municipal Separate Storm Sewer System (MS4). The violations include failure to comply with the monitoring requirements and other conditions in its National Pollutant Discharge Elimination System (NPDES) permit. These are violations of the Pollution Control Act and the Water Pollution Control Permit Regulations. The Respondent has agreed to operate and maintain the MS4 in accordance with the NPDES permit until a re-issued permit becomes effective. It must also implement a corrective action plan (CAP) and watershed-monitoring schedule. A civil penalty in the amount of eight hundred thirty thousand, five hundred forty-nine dollars (\$830,549.00) was assessed.

Drinking Water Enforcement and Water Pollution Enforcement entered into a Joint Consent Order with Frank Spivey (Respondent). The Respondent is responsible for the proper installation and operation of a public water system (PWS) and for land disturbing activities. The Respondent has violated the Pollution Control Act, Water Pollution Control Permit Regulations, State Safe Drinking water Act and State Primary Drinking Water Regulations. Some of the violations include: failure to obtain a permit prior to the installation of a wastewater treatment system; discharged wastewater into the environment; failure to obtain a permit prior to installation of a PWS; and failure to properly construct a PWS. The Respondent must obtain demolition permits to properly remove all structures associated with the septic tank systems, submit an application for a storm water permit, certify all storm water and sediment devices are installed and functioning properly and to install approvable septic tank systems. A combined civil penalty was assessed with eleven thousand, two hundred twelve dollars (11,212.00) for violations of the Pollution Control Act and eight hundred dollars (\$800.00) for violations of the State Safe Drinking Water Act for a total civil penalty of twelve thousand, twelve dollars (12,012.00).

All of the fifty-nine (59) Consent Orders issued by EQC enforcement programs during the reporting period, have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

Robert W. King, Jr., P.E.
Deputy Commissioner
Environmental Quality Control